

Entered - 11/19/03 - sb  
CL03L0899 - DIANNE C. MITCHELL

04-R-0116

CLAIM OF: **CASONYA SWINT,**  
through her attorney,  
**Ramon W. Palanca, Jr.**  
**3017 Piedmont Road**  
**Suite 100**  
**Atlanta, Georgia 30305**

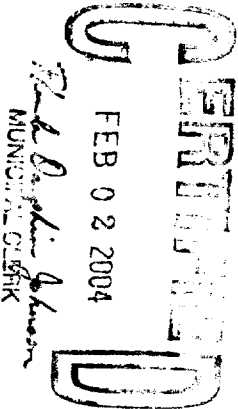
FEB 02 2004

For damages alleged to have been sustained as a result of personal injuries due to a slip and fall on August 3, 2003 at University Homes Apartments at 600 Fair Street, SW.

THIS ADVERSED REPORT IS APPROVED

BY: \_\_\_\_\_

**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**



UN **FAVORABLE REPORT**

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 1/27/04

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

February 9, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Ramon W. Palanca, Jr.  
Attorney at Law  
3017 Piedmont Road  
Suite 100  
Atlanta, GA 30305

04-R-0116

RE: Casonya Swint

Dear Attorney Palanca:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on February 02, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0899

Date: January 12, 2004

Claimant /Victim CASONYA SWINT  
BY: (Atty) Ramon W. Palanca, Jr.  
Address: 3017 Piedmont Road, Suite 100, Atlanta, Georgia 30305  
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated  
Date of Notice: 11/14/03 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 08/03/03 Place: University Homes Apartments, 600 Fair Street, SW  
Department        Division:         
Employee involved        Disciplinary Action:       

**NATURE OF CLAIM:** The claimant alleges she was injured when she slipped and fell on a large indentation in the ground at the above location. The investigation determined that the property is owned by the Atlanta Housing Authority which is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised to pursue this matter with the Atlanta Housing Authority.

**INVESTIGATION:**

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police        Dept Report        Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

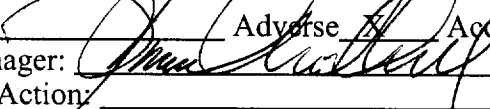
**BASIS OF RECOMMENDATION:**

Function: Governmental        Ministerial         
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved X Offer rejected        Compromise settlement         
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent        Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$        Adverse X Account charged: 1A01        2J01        2H01        2P01         
Claims Manager:  Concur/date 01/11/04  
Committee Action:        Council Action

RCS# 5372  
2/02/04  
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-14 EXCEPT; 04-R-0185,  
04-R-0186  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

2-02-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0033 2. 04-O-0037 3. 04-O-0151 4. 04-O-0159 5. 04-O-0153 6. 04-R-0176 7. 04-R-0133 8. 04-R-0178 9. 04-R-2123 10. 04-R-0135 11. 04-R-0136 12. 04-R-0137 13. 04-R-0138 14. 04-R-0139 15. 04-R-0145 16. 04-R-0146 17. 04-R-0147 18. 04-R-0148 19. 04-R-0149 20. 04-R-0150 21. 04-R-0154 22. 04-R-0160 23. 04-R-0161 24. 04-R-0162 25. 04-R-0164 26. 04-R-0184 27. 04-R-0140 28. 04-R-0170 29. 04-R-0076 30. 04-R-0077 31. 04-R-0078 32. 04-R-0079 33. 04-R-0080 34. 04-R-0081 35. 04-R-0082 36. 04-R-0083 37. 04-R-0084 38. 04-R-0085 39. 04-R-0086 40. 04-R-0087	41. 04-R-0088 42. 04-R-0089 43. 04-R-0090 44. 04-R-0091 45. 04-R-0092 46. 04-R-0093 47. 04-R-0094 <b>ITEMS ADVERSED ON CONSENT</b> 48. 04-R-0096 49. 04-R-0097 50. 04-R-0098 51. 04-R-0099 52. 04-R-0100 53. 04-R-0101 54. 04-R-0102 <b>55.</b> 04-R-0103 56. 04-R-0104 57. 04-R-0105 58. 04-R-0106 59. 04-R-0107 60. 04-R-0108 61. 04-R-0109 62. 04-R-0110 63. 04-R-0111 64. 04-R-0112 65. 04-R-0113 66. 04-R-0114 67. 04-R-0115 68. 04-R-0116 69. 04-R-0117 70. 04-R-0118 71. 04-R-0119 72. 04-R-0120 73. 04-R-0121 74. 04-R-0122 75. 04-R-0123 76. 04-R-0124